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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

THEODORE R. BOOSE,

Defendant and Appellant.

D044832

(Super. Ct. No. SCD183862)

APPEAL from a judgment of the Superior Court of San Diego County, David J. Danielsén, Judge. Affirmed.

Theodore R. Boose entered a negotiated guilty plea to residential burglary (Pen. Code, §§ 459/460)<sup>1</sup> and receiving stolen property (§ 496, subd. (a)). The court sentenced him to prison for a stipulated four years: the middle term for residential burglary. It

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<sup>1</sup> All statutory references are to the Penal Code.

imposed a concurrent term on the receiving stolen property conviction. The court denied a certificate of probable cause. (Cal. Rules of Court, rule 30(b).)

## DISCUSSION

Appointed appellate counsel has filed a brief setting forth the evidence in the superior court. Counsel presents no argument for reversal but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to as a possible but not arguable issue whether there is an adequate factual basis for the guilty plea.<sup>2</sup>

We granted Boose permission to file a brief on his own behalf. He has not responded. A review of the entire record pursuant to *People v. Wende, supra*, 25 Cal.3d 436, including the possible issue referred to pursuant to *Anders v. California, supra*, 386 U.S. 738, has disclosed no reasonably arguable appellate issue. Competent counsel has represented Boose on this appeal.

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<sup>2</sup> Because Boose entered a guilty plea, he cannot challenge the facts underlying the conviction. (§ 1237.5; *People v. Martin* (1973) 9 Cal.3d 687, 693.) We need not recite the facts.

DISPOSITION

The judgment is affirmed.

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HALLER, J.

WE CONCUR:

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McCONNELL, P. J.

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McINTYRE, J.